

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4-1-03.

## **I. DISPUTE**

Whether there should be reimbursement for CPT code 99282 –Emergency Room visit rendered on 7-2-02.

## **II. FINDINGS**

- a CPT code 99282 is described as “Emergency department visit for the evaluation and management of a patient which requires these three key components; an expanded problem focused history; an expanded problem focused examination; and medical decision making of low complexity.”
- b The *Medical Fee Guideline*, MFG, has set a MAR of \$53.00 for 99282.
- c The insurance carrier denied reimbursement based upon “L – Not treating doctor.”
- d The total amount in dispute is \$53.00.
- e. Rule 133.3 titled Responsibilities of Treating Doctor, subsection (b) states, “Except in the case of an emergency, the treating doctor shall approve or recommend all health care rendered to the injured employee. This includes, but is not limited to, referrals to consultants made by the treating doctor. The referrals shall be medically reasonable and necessary.”
- f. The emergency room visit report indicates that claimant’s chief complaint was “chronic back pain.” The report indicates that severity of pain was moderate and similar to prior back pain(s). Under the physical exam claimant’s level of distress was “Mild”.

## **III. RATIONALE**

The Emergency Room Visit report does not document a medical emergency; therefore, approval from the treating doctor is required per Rule 133.3.

## **IV. DECISION**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for emergency room visit.

The above Findings and Decision are hereby issued this 20th day of January 2004.

Elizabeth Pickle  
Medical Dispute Resolution Officer  
Medical Review Division